

ARCHITECTURAL EXAMINING BOARD[193B]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 544A.29, the Architectural Examining Board hereby gives Notice of Intended Action to amend Chapter 3, “Continuing Education,” Iowa Administrative Code.

The rules in Chapter 3 describe professional licensees’ continuing education requirements as a condition of registration renewal.

The proposed amendments are a result of 2017 Iowa Acts, Senate File 408, which requires licensure rather than registration of architects practicing in this state. This bill passed the Iowa Senate on March 28, 2017, 49-0 and passed the Iowa House on April 6, 2017, 96-0; it was signed by then Governor Branstad on May 11, 2017. The proposed amendments change terminology from registered/registration to licensed/licensure.

Consideration will be given to all written suggestions or comments received on or before July 25, 2017. Comments should be directed to Lori SchraderBachar, Iowa Architectural Examining Board, 200 E. Grand Avenue, Suite 350, Des Moines, Iowa 50309. E-mail may be sent to lori.schraderbachar@iowa.gov.

A public hearing will be held on July 25, 2017, at 9 a.m. in the Board Office, 200 E. Grand Avenue, Suite 350, Des Moines, Iowa, at which time persons may present their views on the proposed amendments either orally or in writing. At the hearing, any person who wishes to speak will be asked to give the person’s name and address for the record and to confine remarks to the subject of the proposed amendments.

Any persons who intend to attend the public hearing and have special requirements, such as those relating to hearing or mobility impairments, should contact the Board and advise of specific needs.

These proposed amendments were approved by the Board on May 19, 2017.

These amendments are subject to waiver or variance pursuant to 193—Chapter 5.

After analysis and review of this rule making, the Professional Licensing and Regulation Bureau determined that there will be no impact on jobs and no fiscal impact to the state.

These amendments are intended to implement Iowa Code chapter 544A as amended by 2017 Iowa Acts, Senate File 408.

The following amendments are proposed.

ITEM 1. Amend rule 193B—3.1(544A,272C) as follows:

193B—3.1(544A,272C) Continuing education. The following rules adopted by the architectural examining board are in compliance with Iowa Code chapter 544A and section 272C.2 requiring professional and occupational licensees to participate in a continuing education program as a condition of ~~registration~~ license renewal.

ITEM 2. Amend rule **193B—3.2(544A,272C)**, definition of “Continuing education,” as follows:

“*Continuing education*” or “*CE*” means postlicensure learning that enables a ~~registered~~ licensed architect to increase or update knowledge of and competence in technical and professional subjects related to the practice of architecture to safeguard the public’s health, safety, and welfare.

ITEM 3. Amend rule 193B—3.3(544A,272C) as follows:

193B—3.3(544A,272C) Basic requirements.

3.3(1) To renew ~~registration~~ licensure, an architect must, in addition to meeting all other requirements, complete a minimum of 24 CEHs for each 24-month period since the architect's last renewal of initial ~~registration~~ licensure or be exempt from these continuing education requirements as provided in rule 193B—3.5(544A,272C). Failure to comply with these requirements may result in nonrenewal of the architect's ~~registration~~ license.

3.3(2) and **3.3(3)** No change.

3.3(4) An architect who holds ~~registration~~ licensure in Iowa for less than 12 months from the date of initial ~~registration~~ licensure or who is reinstating to active status shall not be required to report CEHs at the first ~~registration~~ license renewal. An architect who holds ~~registration~~ licensure in Iowa for more than 12 months, but less than 23 months from the date of initial ~~registration~~ licensure or who is reinstating to active status, shall be required to report 12 CEHs earned in the preceding 12 months at the first ~~registration~~ license renewal.

ITEM 4. Amend rule 193B—3.4(544A,272C) as follows:

193B—3.4(544A,272C) Authorized structured educational activities. The following list may be used by all ~~registrants~~ licensees in determining the types of activities which may fulfill CE requirements if the activities are conducted as structured educational activities on health, safety, and welfare subjects:

1. to 4. No change.

ITEM 5. Amend rule 193B—3.5(544A,272C) as follows:

193B—3.5(544A,272C) Exemptions.

3.5(1) As provided in Iowa Code section 272C.2(4), a ~~registered~~ licensed architect shall be deemed to have complied with the continuing education requirements set forth in this chapter if the architect attests in the required affidavit that for not less than 21 months of the preceding two-year period of ~~registration~~ licensure, the architect:

a. No change.

b. Is a resident of another state or district having a continuing education requirement for ~~registration~~ licensure as an architect and has complied with all requirements of that state or district for practice therein; or

c. No change.

3.5(2) Architects who so attest on their affidavits that they are retired from active practice or are not engaged in active practice may maintain their ~~registrations~~ licenses in retired or inactive status without satisfying CE requirements. Such architects may, however, reenter practice only after satisfying the board of their proficiency. Proficiency may be established by any one of the following:

a. to *c.* No change.

3.5(3) No change.